

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CAROLE N. HILDEBRAND, et. al.,	:	CIVIL ACTION
	:	
Plaintiffs,	:	NO. 06-5439
	:	
v.	:	
	:	
DENTSPLY INTERNATIONAL, INC.,	:	
	:	
Defendant.	:	

**ORDER**

AND NOW, this 25<sup>th</sup> day of January, 2010, upon consideration of Defendant's Motion to Dismiss Drs. Hildebrand and Jaffin for Lack of Standing (Dkt. No. 63), Plaintiffs' Countermotion for Leave to File Amended Complaint Substituting Corporate Entities for Drs. Hildebrand and Jaffin (Dkt. No. 69), and the responses thereto, it is hereby ORDERED as follows:

1. Defendant's Motion (Dkt. No. 63) is GRANTED;
2. Plaintiffs' Countermotion (Dkt. No. 69) is DENIED;
3. Counts I and II are DISMISSED as to the putative Pennsylvania periodontal class members and as to the putative New Jersey class members;
4. Count III is DISMISSED in its entirety;
5. Dentsply's Motion to Dismiss or for Judgment on the Pleadings on Count II (Negligent Design) as to New Jersey Plaintiffs and Count III (New Jersey Consumer Fraud Act) in Its Entirety Based on New Controlling Authority (Dkt. No. 87) is hereby DENIED as MOOT; and

6. The parties shall submit to the Court briefing on any jurisdictional issues that may arise as a consequence of this Order by February 22, 2010.

BY THE COURT:

/s/ C. Darnell Jones II  
C. DARNELL JONES II J.